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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

ORACLE USA, INC., a Colorado corporation;
ORACLE AMERICA, INC., a Delaware
corporation; and ORACLE INTERNATIONAL
CORPORATION, a California corporation,

Plaintiffs,

v.

RIMINI STREET, INC. , a Nevada corporation;
SETH RAVIN, an individual,

Defendants.

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Case No. 2:10-cv-0106-LRH-PAL

**NOTICE OF RELATED CASE
PURSUANT TO CIVIL LOCAL RULE
7-2.1**

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that a related case *Rimini Street, Inc. v. Oracle International Corporation*, Case No. 2:2014-cv-01699, was filed on October 15, 2014, in the United States District Court for the District of Nevada. Pursuant to Civil Local Rules 7-2.1 of the United States District Court for the District of Nevada, Defendants Rimini Street, Inc. and Seth Ravin (hereinafter “Defendants”) hereby respectfully submit this Notice of Related Case Pursuant to Civil L.R. 7-2.1.

I. APPLICABLE STANDARD UNDER L.R. 7-2.1

Under Civil Local Rule 7-2.1, “Counsel who has reason to believe that an action on file or about to be filed is related to another action on file (whether active or terminated) shall file in each action and serve on all parties in each action a notice of related cases. This notice shall set forth the title and number of each possibly related action, together with a brief statement of their relationship and the reasons why assignment to a single district judge and/or magistrate judge is desirable.”

An “action is related to another when: (a) Both actions involve the same parties and are based on the same or similar claim; (b) Both actions involved the same property, transaction or event; (c) Both actions involve similar questions of fact and the same question of law and their assignment to the same district judge and/or magistrate judge is likely to effect a substantial savings of judicial effort, either because the same result should follow in both actions or otherwise; or, (d) For any other reason, it would entail substantial duplication of labor if the actions were heard by different district judges or magistrate judges.” Civil L.R. 7-2.1.

II. ORACLE V. RIMINI, CASE NO. 2:10-CV-0106-LRH-PAL AND RIMINI V. ORACLE, CASE NO. 2:2014-CV-01699 ARE RELATED

These two actions, *Oracle USA, Inc., et al. v. Rimini Street, Inc. and Seth Ravin*, Case No. 2:10-cv-0106-LRH-PAL and *Rimini Street, Inc. v. Oracle International Corp.*, Case No. 2:2014-cv-01699 are related. They involve the same parties, arise from same or substantially similar claims, involve the same property, and involve similar questions of fact and law. Oracle has noted the relatedness of the cases, referring to the Rimini’s new processes that are at issue in *Rimini Street*,

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2 *Inc. v. Oracle International Corp.*, Case No. 2:2014-cv-01699 as “old wine in a new bottle and every
3 bit as infringing as the old process.” Joint Request for Case Management at 7, *Oracle USA, Inc., et*
4 *al. v. Rimini Street, Inc.* and Seth Ravin, Case No. 2:10-cv-0106-LRH-PAL (D. Nev. Sept. 17,
5 2014).

6 In particular, both actions involve Oracle International Corp. and Rimini Street, Inc., and the
7 same Oracle copyrights allegedly infringed in the present case are at issue in Rimini’s Declaratory
8 Judgment action. Further, both actions involve Oracle’s contracts with Rimini’s customers that have
9 already been interpreted by Judge Hicks in *Oracle USA, Inc., et al. v. Rimini Street, Inc. and Seth*
10 *Ravin*, Case No. 2:10-cv-0106-LRH-PAL. As this Court is aware, the interpretation of Oracle’s
11 contracts requires significant judicial resources and assignment of *Rimini Street, Inc. v. Oracle*
12 *International Corp.*, Case No. 2:2014-cv-01699 to another judge will result in duplicative use of
13 judicial resources and could produce inconsistent results. The judge who hears *Rimini Street, Inc. v.*
14 *Oracle International Corporation*, Case No. 2:2014-cv-01699 will be called upon to resolve
15 questions of fact and law similar to those raised by Oracle and Rimini in present case, including the
16 interpretation of Oracle’s contracts with Rimini’s customers, and whether those contracts allow for
17 Rimini’s conduct.

18 Rimini no longer operates in the manner that is at issue in the present case, rather Rimini has
19 developed new processes that are allowed under the terms of Oracle’s contract with Rimini’s
20 customers. Because the Court has determined that Oracle’s infringement claims regarding these new
21 processes will not be determined in the present case, it was necessary for Rimini to file the
22 Declaratory Judgment action, or risk another infringement suit brought by Oracle.

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2 For the foregoing reasons, assignment of this case to the same district judge and magistrate
3 judge that have been handling Case No. 2:10-cv-0106-LRH-PAL since 2010 (namely, Judge Hicks
4 and Magistrate Judge Leen) is desirable because the relation of these two cases is likely to effect a
5 saving of judicial effort and other economies, and it will diminish the likelihood of inconsistent
6 results.

7 DATED: February 11, 2015 SHOOK, HARDY & BACON

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9 By: /s/ Robert H. Reckers
10 Robert H. Reckers, Esq.
11 Attorney for Defendants
12 Rimini Street, Inc. and Seth Ravin
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CERTIFICATE OF SERVICE

I hereby certify that on the 11th day of February, 2015, I electronically filed the foregoing document with the clerk of the court for the U.S. District Court, District of Nevada, using the electronic case filing system. The electronic case filing system sent a “Notice of Electronic Filing” to the attorneys of record who have consented in writing to accept this Notice as service of this document by electronic means.

By: /s/ Robert H. Reckers
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